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Dated: December 18, 2008 Signature:

(Valenie Cohen)

REPLY UNDER 37 CFR 1.116 EXPEDITED PROCEDURE TECHNOLOGY CENTER 2100 Docket No.: 509982005900

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Emmanuel DREGE et al.

Application No.: 10/791,046

Filed: March 1, 2004

For: SELECTING A PROFILE MODEL FOR USE

IN OPTICAL METROLOGY USING A MACHINE LEARNING SYSTEM

Confirmation No.: 1279

Art Unit: 2129

Examiner: G. Davis

## AMENDMENT UNDER 37 C.F.R. 1.116

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This is in response to the final Office Action dated October 18, 2006 (Paper No. 20061015), for which a response is due on January 18, 2007. Accordingly, this response is timely filed. Additionally, this response is filed within two months of the mailing date of the Final Office Action and therefore qualifies for expedited review. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

sf-2215138